



## Learnfare Program

### What is the Learnfare Program?

In 1993, the Learnfare Program was enacted in Florida.<sup>1</sup> The program sets forth educational requirements that must be met in order for a person to maintain temporary cash assistance (TCA)<sup>2</sup> under the federal Temporary Assistance for Needy Families (TANF) Program<sup>3</sup> without a reduction in assistance. More particularly, the Learnfare Program requires:

Each teenage TANF participant or a TANF participant's school-aged child to remain in school and not be identified as a habitual truant<sup>4</sup> or dropout.<sup>5</sup>

Each TANF participant with a school-aged child to attend a conference each semester with a school official to ensure that the participant is involved in the child's educational progress and is aware of any attendance or academic problems.<sup>6</sup> The conference may be a face-to-face meeting or a telephone conversation and must be verified by the Department of Children and Family Services (DCFS).<sup>7</sup>

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<sup>1</sup>Section 13, ch. 93-136, L.O.F., codified at s. 409.933, F.S.

<sup>2</sup> The Temporary Cash Assistance (TCA) program provides cash assistance to families with children under age 18 (or under age 19 if they are full-time students in a secondary school) that meet the program's technical, income, and asset requirements. The TCA program helps families become self-supporting so that children may remain in their own homes or the homes of relatives. Florida Department of Children and Families, DCF Quick Facts, *The ACCESS Florida Program*, at 11 (April 30, 2010), available at <http://www.dcf.state.fl.us/newsroom/docs/quickfacts.pdf>.

<sup>3</sup> The Temporary Assistance for Needy Families (TANF) Program is a block grant that provides federal funds to states for a wide range of benefits and activities, including cash welfare for needy families with children. The Florida Department of Children and Family Services administers the TANF Program. Florida Department of Children and Families, ACCESS Program Office, *Temporary Assistance for Needy Families: An Overview of Program Requirements*, at 3, (Oct. 2006), available at <http://www.dcf.state.fl.us/programs/access/docs/TANF%20101%20final.pdf>.

<sup>4</sup> "Habitual truant" is a legal status determined by the court upon the filing of a petition by the school superintendent. In order for the court to declare a student habitually truant, the court must find that the student is subject to compulsory school attendance; the student has had 15 unexcused absences within 90 calendar days with or without the knowledge or consent of the student's parent; and a child study team has conducted intervention activities and attempted unsuccessfully to remediate the student's truant behavior. Section 1003.01(8), F.S.

<sup>5</sup> Section 414.1251(1), F.S. "Dropout" means a student who has voluntarily removed himself or herself from the school system before graduation; has not met the relevant attendance requirements; has withdrawn from school, but has not transferred to another school or program; has withdrawn from school due to hardship; or is not eligible to attend school because he or she reached the maximum age for an exceptional student program. Section 1003.01(9), F.S.

<sup>6</sup> Section 414.1251(2), F.S.; rule 65A-4.2131, F.A.C.

<sup>7</sup> Florida Department of Education, *Technical Assistance Papers and Notes, FY 2002-9 Technical Assistance Paper 11347: Learnfare Program Update*, at 8 and 9 (Jan. 2002), available at <http://www.fldoe.org/esd/pdf/y2002-9.pdf>.

### ***What is the sanction for noncompliance with the Learnfare Program's requirements?***

The Learnfare Program requires DCFS to reduce the temporary cash assistance (TCA) provided under the TANF Program for a participant's eligible dependent child or an eligible teenage participant who has not been exempted from education participation requirements, if the dependent child or teenage participant has been identified either as a habitual truant or a dropout. Good cause exemptions for unexcused absences include:

The student is expelled from school and alternative schooling is not available.

No licensed day care is available for a child of teen parents subject to the Learnfare Program.

Prohibitive transportation problems exist (e.g., to and from daycare).<sup>8</sup>

TCA may also be reduced if a TANF participant, without good cause, fails to attend the required school conference regarding his or her school-aged child.<sup>9</sup>

A TANF participant who is subject to a TCA reduction for failing to comply with the Learnfare Program may file an appeal within 10 days following notification of the reduction. The reduction may not be imposed until the appeal is resolved.<sup>10</sup>

### ***When is a sanction for noncompliance with Learnfare Program requirements removed and benefits reinstated?***

The DCFS must restore TCA under the TANF Program after a reduction due to failure to comply with the Learnfare Program requirements under the following circumstances:

- ❖ A habitual truant's school attendance has substantially improved during a subsequent grading period.<sup>11</sup>
- ❖ A dropout enrolls in a public school, receives a high school diploma or its equivalency, enrolls in preparation for the General Educational Development Tests, or enrolls in other educational activities approved by the district school board.<sup>12</sup>
- ❖ A TANF participant attends a school conference for his or her school-aged child with an appropriate school official and the conference is documented by the school and reported to DCFS.<sup>13</sup>

Before benefits may be reinstated, DCFS must verify that the Learnfare Program requirements have been met.<sup>14</sup>

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<sup>8</sup> Section 414.1251(1), F.S.

<sup>9</sup> Section 414.1251(2), F.S.

<sup>10</sup> Section 414.1251(1), F.S.

<sup>11</sup> *Id.*

<sup>12</sup> Section 414.1251(2), F.S.

<sup>13</sup> *Id.*

<sup>14</sup> Rule 65A-4.2131(8), F.A.C.

### ***How does a school know if any of its students are subject to the Learnfare Program requirements?***

In 2001, the Legislature directed DCFS to develop an electronic data transfer system that enables the department to collect, report, and share data accurately to ensure accountability and assess the effectiveness of the Learnfare Program.<sup>15</sup> Additionally, the information compiled by DCFS must include, but is not limited to, the following:

- ❖ The number of students and families reported by school districts as not being in compliance with the Learnfare Program.
- ❖ The number of students and families sanctioned as a result of noncompliance.
- ❖ The number of students and families reinstated after becoming compliant.<sup>16</sup>

The information compiled and collected by the system must be reported annually to the Legislature by March 1st.<sup>17</sup> For the period of July 1, 2009, through June 30, 2010, DCFS received 8,905 reports of noncompliance. Of that number, 1,484 TANF participants were sanctioned. Full TANF assistance was restored for 481 participants when they achieved compliance.<sup>18</sup>

### ***Where can I get additional information?***

#### ***Florida Department of Education***

Bureau of Exceptional Education and Student Services

(850) 245-0475

<http://www.fldoe.org/ese/>

#### ***Florida Department of Children & Family Services***

Office of Economic Self-Sufficiency

(866) 762-2237

(850) 414-1328

#### ***Florida House of Representatives***

Education Committee

(850) 488-7451

<http://www.myfloridahouse.gov>

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<sup>15</sup> Section 1, ch. 2001-149, L.O.F.

<sup>16</sup> Section 414.1251(3), F.S.

<sup>17</sup> *Id.*

<sup>18</sup> E-mail, Florida Department of Children and Family Services, Learnfare Program Data Request (July 7, 2010).